

By: Ellis

S.B. No. 1388

A BILL TO BE ENTITLED

AN ACT

relating to the availability of free prekindergarten programs in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 29.153(a) and (b), Education Code, are amended to read as follows:

(a) A district shall offer prekindergarten classes if the district identifies 15 or more children who are ~~[eligible under Subsection (b) and are]~~ at least four years of age. A school district may offer prekindergarten classes if the district identifies 15 or more eligible children who are at least three years of age. A district may not charge tuition for a prekindergarten class offered under this section.

(b) A child is eligible for enrollment in a prekindergarten class under this section if the child is:

(1) at least three years of age and is:

(A) ~~[(1)]~~ unable to speak and comprehend the English language;

(B) ~~[(2)]~~ educationally disadvantaged; or

(C) ~~[(3)]~~ homeless, as defined by 42 U.S.C. Section 11302, regardless of the residence of the child, of either parent of the child, or of the child's guardian or other person having lawful control of the child; or

(2) at least four years of age.

1 SECTION 2. Section 29.1532(c), Education Code, is amended
2 to read as follows:

3 (c) A school district that offers prekindergarten classes
4 shall include the following information in the district's Public
5 Education Information Management System (PEIMS) report:

6 (1) demographic information, as determined by the
7 commissioner, on students enrolled in district prekindergarten
8 classes, including the number of students who are eligible for
9 classes under Section 29.153(b)(1) [~~29.153~~];

10 (2) the numbers of half-day and full-day
11 prekindergarten classes offered by the district; and

12 (3) the sources of funding for the prekindergarten
13 classes.

14 SECTION 3. Section 29.153(d), Education Code, is repealed.

15 SECTION 4. This Act applies beginning with the 2005-2006
16 school year.

17 SECTION 5. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2005.